

Sixth Appellate District

San Jose, California

MONDAY, DECEMBER 8, 1997

H016164 PEOPLE v. EDUARDO T., a Minor

The judgment is affirmed. (not published)  
(Wunderlich, J.; We concur: Premo, Acting P.J., Elia, J.)  
Filed December 8, 1997

H016305 PEOPLE v. OAKLAND

The judgment is affirmed. (not published)  
(Elia, J.; We concur: Premo, Acting P.J., Wunderlich, J.)  
Filed December 8, 1997

H015968 PEOPLE v. SHIELDS

The sentencing portion of the judgment is vacated, and the case is remanded to the trial court for resentencing consistent with sections 667, 667.5, and 1385. In all other respects the judgment is affirmed. (not published)  
(Elia, J.; We concur: Premo, Acting P.J., Wunderlich, J.)  
Filed December 8, 1997

TUESDAY, DECEMBER 9, 1997

H016614 PEOPLE v. JOHN M.

The judgment is affirmed. (not published)  
(Wunderlich, J.; We concur: Premo, Acting P.J., Elia, J.)  
Filed December 9, 1997

H016175 PEOPLE v. DOAN

The judgment is affirmed. (not published)  
(Premo, Acting P.J.; We concur: Elia, J., Wunderlich, J.)  
Filed December 9, 1997

H015159 PEOPLE v. MUSLADIN

The judgment is affirmed. (not published)  
(Mihara, J.; We concur: Elia, Acting P.J., Wunderlich, J.)  
Filed December 9, 1997

WEDNESDAY, DECEMBER 10, 1997

The Court met at Palo Alto City Hall, Council Chambers, 250 Hamilton Avenue, Palo Alto, California. Present: Cottle, P.J.; Bamattre-Manoukian, J., Mihara, J.; and Lori Hazelip, Deputy Clerk.

H016259 PEOPLE v. CIRILO R., A Minor

Cause called and argued by Margery M. Fernald, Esq. appearing for appellant and by Ann K. Jensen, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

Sixth Appellate District

San Jose, California

Wednesday, December 10, 1997 (continued)

H015963 PEOPLE v. JAIME V., A Minor

Cause called and argued by James Stupar, Esq., appearing for appellant and by Maritza B. Meskan, Certified Law Student, appearing for respondent. Cause ordered submitted.

H016401 PEOPLE v. TURAJLICH

Cause called and argued by Francine Tone, Esq., appearing for appellant and by Ann K. Jensen, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

H016374 ETERS v. CITY OF SANTA CRUZ

Cause called and argued by John G. Barisone, Esq., appearing for appellant and by Emmett O'Boyle, Esq., appearing for respondent. Cause ordered submitted.

H015952 PEOPLE v. NEHER

H017040 NEHER on Habeas Corpus

Cause called and argued by Geri Lynn Green, Esq., appearing for appellant and petitioner and by Laurence K. Sullivan, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

Manoukian, J. leaves the bench and Wunderlich, J. takes the bench

H015858 YORK on Habeas Corpus

Cause called and argued by Arthur Dudley, Esq., appearing for petitioner and by Thomas A. Brady, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

Court recesses until the 1:30 p.m. calendar.

The Court reconvened at Palo Alto City Hall, Council Chambers, 250 Hamilton Avenue, Palo Alto, California. Present: Cottle, P.J.; Premo, J., Bamattre-Manoukian, J.; and Lori Hazelip, Deputy Clerk.

H016199 PEOPLE v. MILLER

Cause called and argued by Philip Brooks, Esq., appearing for appellant and by Thomas A. Brady, Deputy Attorney General, appearing for appellant. Cause ordered submitted.

H016005 MARTINEZ v. AGRI-COMM EXPRESS, INC., et al.

Cause called and argued by Michael Shea, Esq., appearing for appellant and by David D. MacMillian, Esq., appearing for respondents. Cause ordered submitted.

Court is adjourned.

Sixth Appellate District

San Jose, California

Wednesday, December 10, 1997 (continued)

H015331 PEOPLE v. SANTOS

The judgment is affirmed. (not published)  
(Elia, Acting P.J.; We concur: Wunderlich, J., Mihara, J.)  
Filed December 10, 1997

H015808 PEOPLE v. WILLIAMS

(Filed order modifying opinion.) The petition for rehearing is denied. This modification does not affect the judgment. (not published)  
(Wunderlich, J.; Premo, Acting P.J.; Elia, J.)  
Filed December 10, 1997

THURSDAY, DECEMBER 11, 1997

The Court met at Palo Alto City Hall, Council Chambers, 250 Hamilton Avenue, Palo Alto, California. Present: Cottle, P.J.; Bamattre-Manoukian, J., Mihara, J.; and R. W. Norvelle, Deputy Clerk.

H016110 PEOPLE v. BRECKLER

Cause called and argued by Joan Isserlis appearing for appellant and by Aileen Bunney, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

H015941 PEOPLE v. ALSPAW

Cause called and argued by Lori Klein appearing for appellant and by Ronald Niver, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

PEOPLE v. HECTOR F., A MINOR

Cause called and argued by James Pagano appearing for appellant and by Jason Chun, Certified Law Student under the supervision of Linda M. Murphy, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

H016228 SHORT v. ADOBE SYSTEMS, et al.

Cause called. There is no appearance for the appellant. Hope A. Case appears for respondent. The matter is ordered submitted without oral argument. Court adjourns.

H015784 WARD, et al. v. EL CAMINO HOSPITAL DISTRICT

The order denying plaintiffs' petition for order relieving them from the Tort Claims Act claim filing requirement is affirmed. The judgment is affirmed. (not published)  
(Premo, Acting P.J.; We concur: Elia, J., Wunderlich, J.)  
Filed December 11, 1997

Sixth Appellate District

San Jose, California

Thursday, December 11, 1997 (continued)

H015875 CROWDER v. ALLISON BAVARIAN, INC.

The judgment is affirmed. (not published)  
(Wunderlich, J.; We concur: Elia, Acting P.J., Mihara, J.)  
Filed December 11, 1997

FRIDAY, DECEMBER 12, 1997

H016435 PEOPLE v. MALARIN

The judgment is affirmed. (not published)  
(Elia, J.; We concur: Premo, Acting P.J., Wunderlich, J.)  
Filed December 12, 1997

H017376 JOSE D. v. SANTA CLARA COUNTY SUPERIOR COURT (SANTA  
CLARA COUNTY DEPARTMENT OF FAMILY & CHILDREN'S SERVICES,  
et al.)

The petition is denied. This decision shall become final as  
to this court immediately upon its issuance. (Cal. Rules of  
Court, rule 24(d)). (not published)  
(Cottle, P.J.; I concur: Bamattre-Manoukian, J.; concurring and  
dissenting opinion by Mihara, J.)  
Filed December 12, 1997

H016133 OLIVER v. PERDUE, et al.

The judgment in favor of defendant Klein is affirmed. The  
judgment in favor of defendants Perdue, Roboostoff and Hill is  
reversed, with directions to conduct further proceedings on  
plaintiff's first three causes of action only. (not published)  
(Mihara, P.J.; We concur: Elia, Acting P.J., Wunderlich, J.)  
Filed December 12, 1997

H015963 PEOPLE v. JAMIE V.

The dispositional order is affirmed. (not published)  
(Cottle, P.J.; We concur: Bamattre-Manoukian, J., Mihara, J.)  
Filed December 12, 1997

H016455 PEOPLE v. GONZALES

The judgment is affirmed. (not published)  
(Mihara, J.; We concur: Cottle, P.J., Bamattre-Manoukian, J.)  
Filed December 12, 1997

H016503 PEOPLE v. ANDREW S., A MINOR

The dispositional order is modified to provide for a maximum  
term of confinement of 13 years and 8 months. In all other  
respects, the jurisdictional and dispositional orders are  
affirmed. (not published)  
(Cottle, P.J.; We concur: Bamattre-Manoukian, J., Mihara, J.)  
Filed December 12, 1997

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Friday, December 12, 1997 (continued)

H016019 PEOPLE v. LATASHA B., A MINOR

The judgment is affirmed. (not published)  
(Bamattre-Manoukian, J.; We concur: Cottle, P.J., Mihara, J.)  
Filed December 12, 1997

H016678 PEOPLE v. SUPERIOR COURT OF SANTA CLARA COUNTY; DONALD  
ROBINSON, et al.

Let a writ of mandate issue, directing the superior court to vacate its orders and enter new orders denying Robinson's motion to dismiss and overruling Lovitt's demurrer. The court shall conduct proceedings under the Act to determine whether real parties are sexually violent predators within the meaning of section 6600, subdivision (a). (not published)  
(Elia, Acting P.J.; We concur: Wunderlich, J., Mihara, J.)  
Filed December 12, 1997

H016115 PEOPLE v. COPADO

The judgment is affirmed. (not published)  
(Cottle, P.J.; We concur: Bamattre-Manoukian, J., Mihara, J.)  
Filed December 12, 1997

H016489 PEOPLE v. ALVAREZ

The judgment is affirmed. (not published)  
(Cottle, P.J.; We concur: Bamattre-Manoukian, J., Mihara, J.)  
Filed December 12, 1997

H016252 IN RE ANDREW R., A MINOR

By the Court\*:

Appellant's petition for rehearing is denied.  
Dated December 12, 1997 Cottle, P.J.  
\*Before Cottle, P.J., Bamattre-Manoukian, J., and Mihara, J.

H015396 PEOPLE v. REYES

By the Court\*:

Appellant's petition for rehearing is denied.  
Dated December 12, 1997 Premo, Acting P.J.  
\*Before Premo, Acting P.J., Elia, J., and Wunderlich, J.